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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF ALASKA

JERRY LEE DOUGLAS,	)	
	)	
Petitioner,	)	
	)	
vs.	)	Case No. 3:03-cv-00221-JWS
	)	
SUPERINTENDENT ZEE HYDEN,	)	CLARIFICATION OF UPDATED
	)	STATUS REPORT
Respondent.	)	
_____	)	

Yesterday, March 22, 2007, the Respondent filed the updated status report ordered by this court. In that status report, the Respondent stated that “Douglas has been released to a halfway house with the allowance for him to work and attend medical appointments.” It has been brought to the attention of the undersigned assistant attorney general that there was a misunderstanding as to the meaning of the term “release.”

The updated status report was reviewed by the assistant district attorney who attended the bail hearing. When the assistant district attorney and Douglas's state court-appointed attorney (whom the undersigned assistant attorney general has today spoken to) used the term "released to a halfway house," they used it as a term of art to mean that the Alaska Superior Court had issued an order authorizing Douglas's release to a halfway house. Put another way, when the court "releases" a defendant to a halfway house, both the attorneys in attendance at Douglas's bail hearing – the assistant district attorney and Douglas's state court-appointed attorney – understood that to mean that before Douglas could be physically transported from Cook Inlet Pretrial Facility, Douglas's written application for the halfway house will have to be processed and the halfway house will have to have available space (a bed) for him.

This process can take at least several days and has not been completed in Douglas's case. Douglas at this time remains at Cook Inlet Pretrial Facility. According to Douglas's state court-appointed attorney, he has personally explained this process to Douglas and Douglas understands this process, having been through it before. However, Douglas's assistant federal public defender called the office of the undersigned assistant attorney general and stated that Douglas was upset that he had not been transported from Cook Inlet Pretrial Facility. To the best of the undersigned assistant attorney

general's knowledge, Douglas's assistant federal public defender and Douglas's state court-appointed attorney have not been in close contact this week due to Douglas's assistant federal public defender being on leave.

DATED March 23, 2007 , at Anchorage, Alaska.

TALIS J. COLBERG  
ATTORNEY GENERAL

s/ Blair M. Christensen

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**Certificate of Service**

I certify that on March 23, 2007, a copy of the foregoing Clarification of Updated Status Report was served electronically on Mary C. Geddes.

s/ Blair M. Christensen